

Message Text

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PAGE 01 ROME 00329 101935Z

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 TRSE-00 L-03 COME-00 INT-05
GSA-02 FEAE-00 CIAE-00 INR-07 NSAE-00 PM-04 DODE-00
/041 W

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FM AMEMBASSY ROME

TO SECSTATE WASHDC 0329

UNCLAS ROME 0329

E.O. 11652: N/A

TAGS: EMIN, ENRG, IT

SUBJECT: RECIPROCITY PROVISIONS OF MINERAL LEASING ACT OF 1920

REFERENCES: 76 STATE 213732

1. THERE ARE NO GOI RESTRICTIONS IN GENERAL WHICH WOULD BAR FOREIGN INDIVIDUALS OR CORPORATIONS FROM PROSPECTING, EXPLORING, AND/OR EXPLOITING DEPOSITS OF MINERALS, LIQUID AND GASEOUS HYDROCARBONS AND/OR COAL ON ITALIAN TERRITORY AND ITS OFFSHORE PLATFORM. ONLY CONDITIONS SET BY GOI ARE THAT THE FOREIGN INDIVIDUAL OR CORPORATION BE LEGALLY CONSTITUTED IN ITALY AND/OR IN ONE OR MORE COUNTRIES OF THE EUROPEAN COMMUNITIES OR IN CANADA AND THAT THE INDIVIDUAL OR CORPORATION POSSESS TECHNICAL AND ECONOMIC QUALIFICATIONS ADEQUATE TO THE ACTIVITY TO BE UNDERTAKEN.
2. ONLY EXCEPTIONS TO THIS GENERAL PRINCIPLE CONCERN HYDROCARBONS OPERATIONS. LAW NO. 136, FEB. 10, 1953, RESERVES THE ENTIRE PO VALLEY AREA TO THE ENTE NAZIONALE IDROCARBURI - ENI (ITALIAN STATE-OWNED HYDROCARBONS AGENCY) AND LAW NO. 613, JULY 21, 1967 GIVES ENI THE OPTION TO ACQUIRE 25 PERCENT OF HYDROCARBONS EXPLORATION PERMITS GRANTED FOR OFFSHORE AREAS UNDER ITALIAN JURISDICTION.

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3. BASIC ITALIAN LEGISLATION GOVERNING MINING ACTIVITY AND, IN PARTICULAR, USG-GOI RELATIONS IN THIS AREA, ARE:
 - A. TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION BETWEEN U.S. AND ITALY OF FEBRUARY 2, 1948;
 - B. LAW NO. 1443, JULY 29, 1927 - MINING LAW;
 - C. LAW NO. 6
JANUARY 11, 1957 - EXPLORATION AND

PRODUCTION OF LIQUID AND GASEOUS HYDROCARBONS ENLARGED AND
AMENDED BY

D. LAW NO. 613, JULY 21, 1967 - EXPLORATION AND PRODUCTION
OF LIQUID AND GASEOUS HYDROCARBONS IN TERRITORIAL SEA AND
CONTINENTAL SHELF;

E. DECREE OF PRESIDENT OF REPUBLIC NO. 2, JANURY 22, 1964,
AND LAW NO. 43, FEBRUARY 7, 1956 - FOREIGN INVESTMENTS IN ITALY.

4. DURING RESEARCH FOR THE ABOVE, A MINISTRY OF INDUSTRY-
BUREAU OF MINES' SOURCE STATED THAT RECIPROCITY FOR MINERAL
EXPLORATION WAS FORMALLY ESTABLISHED BETWEEN GOI AND THE STATES
OF CALIFORNIA, DELAWARE, AND COLORADO. SOURCE WAS
UNABLE TO INDICATE DETAILS CONCERNING THESE AGREEMENTS.VOLPE

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Message Attributes

Automatic Decaptioning: X
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